

REMARKS

Claims 1-30 were presented for examination, and were subject to restriction. In the Office Action, claims 1-2, 6-13, 15-16, 18-22, 25-26 and 28-30 were examined in light of Applicant's election of species. Claims 1-2, 6-10, 12-13, 15-16, 18-22, 25-26 and 28 were rejected under 35 USC 102(a) over Gaylord et al. (PNAS, Aug. 20, 2002, vol. 99, no. 17, p. 182) ("Gaylord"). Claims 1-2, 6-13, 15-16, 18-22, 25-26 and 28-30 were rejected under 35 USC 103(a) over Gaylord in view of Weiler (Nucleic Acids Research, 1997, Vol. 25, No. 14 pp. 2792-2799) ("Weiler"). These rejections are traversed.

In this Response, claims 1 and 12 have been amended, claims 9 and 23-24 have been cancelled, and new claims 31-32 have been added. Support for the amendments and new claims can be found throughout the application as filed. For example, support for the amendment to claim 1 can be found at least in paragraphs 9, 13, 55 and 83. Claim 12 has been amended simply for clarity. Support for new claims 31 and 32 can be found at least in paragraph 55 and in Example 2, paragraphs 89-90. No new matter is added.

Request for Telephonic Interview

A telephonic interview is requested prior to the issuance of a subsequent Office Action should any issues remain after entry of this response that would delay allowance of the claims. The undersigned may be reached at (858) 228-7829.

The Rejections over Gaylord

Claims 1-2, 6-10, 12-13, 15-16, 18-22, 25-26 and 28 were rejected under 35 USC 102(a) over Gaylord, and claims 1-2, 6-13, 15-16, 18-22, 25-26 and 28-30 were rejected under 35 USC 103(a) over Gaylord in view of Weiler. These rejections are traversed.

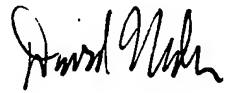
The instant application claims priority to U.S. Provisional Application No. 60/390,524 filed June 20, 2002, prior to the date Gaylord was available. As Gaylord was not available prior to the filing date of June 20, 2002, Gaylord cannot support anticipation or obviousness rejections of the claims.

Withdrawal of the rejection is respectfully requested.

CONCLUSION

As the claims are believed in order for allowance, a notice to that effect is respectfully requested. Should the Examiner disagree, a telephonic interview is requested prior to the issuance of a subsequent Office Action so that any remaining issues can be discussed. The undersigned may be reached at (858) 228-7829.

Respectfully submitted,



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